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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	CR S 03-471-DFL
)	
Plaintiff,)	STIPULATION FOR DEPOSITION OF
)	WITNESS DOROTHY LABHARD
v.)	
)	
MICHAEL EGAN,)	
Defendant.)	
)	
)	

STIPULATION

Plaintiff United States of America, by and through its counsel, S. Robert Tice-Raskin, Assistant United States Attorney, and defendant Michael Egan, by and through his counsel, Matthew Bockman, Assistant Federal Defender, hereby stipulate as follows:

1. Government witness Dorothy Labhard, who is in her 90s, has significant health issues which would make it very difficult for her to travel to Sacramento to testify as a trial witness.

2. The parties agree that there are exceptional circumstances and it would be in the best interest of justice that the witness be deposed in order to preserve her testimony for use at trial in lieu of her live testimony pursuant to Fed.R.Crim.P.

1 15(a)(1) and (f).

2 3. The parties also specifically agree that it is
3 appropriate to take the deposition of the witness and use the
4 deposition at trial in lieu of her live testimony pursuant to
5 Fed.R.Crim.P. 15 (f) and (h).

6 Dated: May 25, 2005

By: /s/ Tice-Raskin
S. ROBERT TICE-RASKIN
Assistant U.S. Attorney

8 Dated: May 25, 2005

By: /s/ Matthew Bockman
MATTHEW BOCKMAN
Assistant Federal Defender

11 ORDER

12 IT IS SO ORDERED.

13 Dated: May 27, 2005

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16 DAVID F. LEVI
17 United States District Judge
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